

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
October 6, 2016**

Minutes

I. CALL TO ORDER

Board President, Dr. John Emerson, called the meeting to order at 8:32 a.m.

II. ROLL CALL –

Roll call was taken by Board Vice President, Dr. Fenton Lipscomb, with the following results:

Those present:

John S. Emerson, DVM	Board President
Fenton Lipscomb, DVM	Board Vice President
Patrick Bernard, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy D. Parrish	Board Executive Director

Absent:

J. Edwin Davis, DVM	Board Secretary-Treasurer
William H. Green, DVM	Board Member

Guests:

LVMA - Paul Ritch, DVM, Stephanie Karaty
Lesley Blackwood, DVM (9:30am)
Benjamin Lognion, DVM (11:00am)

III. APPROVAL OF MINUTES

A. Board Meeting July 28, 2016

The Board reviewed the minutes from the July 28, 2016 Board meeting. Motion was made by Dr. Lipscomb to accept the minutes as presented, seconded by Dr. Bernard, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. In the absence of the Board Secretary-Treasurer, Ms. Parrish presented the financial reports for the month of July and August 2016 for review. Following discussion and questions, motion was made by Dr. Lipscomb to approve the financial reports as presented, seconded by Dr. Bernard, and passed unanimously by voice vote.

B. FY2016 Legislative Auditor's Report – FY2016 audit is being performed by the Legislative Auditor's office. The audit has not been completed to date. No action taken on this item.

C. Investigator Contract FY2017 – D.W. Hahn, Investigator – Ms. Parrish presented the proposed contract with D.W. Hahn for investigation services for review. No changes were made from previous FY contract, with a ceiling of \$5,000.00 per year. Motion was made by Dr. Bernard, seconded by Dr. Lipscomb to approve the contract. Motion passed unanimously by voice vote.

D. FY 2018 Budget Maximum Employee Pay Raise Amount – Ms. Parrish presented the financial history of maximum employee pay raise amounts for the last fourteen fiscal years. Motion was made by Dr. Bernard, seconded by Dr. Lipscomb to allow a maximum employee pay raise amount of 7% as scale for FY2018. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

A. Case 13-0405 D – (9:00am) –

Motion was made by Dr. Bernard to go into executive session to discuss confidential matters regarding respondent not subject to public disclosure as per the law, seconded by Dr. Lipscomb, and passed unanimously by voice vote.

Upon conclusion of executive session, motion was made to return to regular session by Dr. Lipscomb, seconded by Dr. Bernard, and approved unanimously by voice vote.

B. Case 17-0916 I – (11:00am) – Proposed Agreement

Motion was made by Dr. Lipscomb to go into executive session to discuss confidential matters regarding respondent not subject to public disclosure as per the law, seconded by Dr. Bernard, and passed unanimously by voice vote.

Upon conclusion of executive session, motion was made to return to regular session by Dr. Lipscomb, seconded by Dr. Bernard, and approved unanimously by voice vote.

VI. DVM ISSUES

Motion was made by Dr. Lipscomb to go into executive session to discuss confidential matters regarding licensees and applicants not subject to public disclosure as per the law in VI. DVM ISSUES and VII. DVM APPLICANT ISSUES, seconded by Dr. Bernard, and passed unanimously by voice vote.

Upon conclusion of executive session to review and consider all items in VII. DVM APPLICANT ISSUES and VII. DVM APPLICANT ISSUES, motion was made to return to regular session by Dr. Bernard, seconded by Dr. Lipscomb, and approved unanimously by voice vote, to specifically address each item in the respective sections as follows:

A. John L. Parsons, DVM – Request for Inactive Retired Status – Following review of the documentation provided by Dr. Parsons, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve Inactive Retired Status for Renewal Year 2016-2017. Motion passed unanimously by voice vote.

B. Vicki L. Stephenson, DVM – Request for Inactive Retired Status – Following review of the documentation provided by Dr. Stephenson, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, to approve Inactive Retired Status for Renewal Year 2016-2017. Motion passed unanimously by voice vote.

C. Frank A. Fitzgerald, DVM – Request for Inactive Retired Status and Waiver of Fees – Following review of the documentation provided by Dr. Fitzgerald, motion

was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve Inactive Retired Status and deny waiver of renewal fees for Renewal Year 2016-2017. Motion passed unanimously by voice vote.

VII. DVM APPLICANT ISSUES

A. Benjamin A. Lognion, DVM – (Appearance 11:00 a.m.) **Request Waiver of Preceptorship Requirement** – Dr. Lognion was introduced to the Board members and discussed licensure issues and work history. Dr. Lognion is a 2013 graduate of Ross University School of Veterinary Medicine, licensed in Iowa and Texas. Following review of the documentation submitted and discussion with Dr. Lognion, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, to approve waiver of the preceptorship requirement for licensure. Motion passed unanimously by voice vote.

Lesley Blackwood, DVM – (Appearance 9:30a.m.) **Request Waiver of Retake of National Examination and Preceptorship Requirement** – Dr. Blackwood was introduced to the Board members and discussed licensure issues and work history. Dr. Blackwood is a 2004 graduate of LSU-School of Veterinary Medicine, licensed in Florida. Following review of the documentation submitted and discussion with Dr. Blackwood, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed by majority with the following result: Yea – Drs. Bernard and Lipscomb, Nay – Dr. Emerson.

A second motion was made by Dr. Bernard, seconded by Dr. Lipscomb to deny waiver of the preceptorship requirement as the documents submitted do not meet criteria. Motion passed unanimously by voice vote.

B. Bradley Alan Brown, DVM – **Request Waiver of Retake of National Examination and Preceptorship Requirement** – 1982 graduate of Western College of Veterinary Medicine, University of Saskatchewan, licensed in Iowa, Kansas and 8 other states. Following review of the documentation submitted by Dr. Brown, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

C. Erica A. Stremlau, DVM – **Request Waiver of Retake of National Examination and Preceptorship Requirement** – 2002 graduate of LSU-School of Veterinary Medicine, licensed in Texas. Following review of the documentation submitted by Dr. Stremlau, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

- D. Katelyn M. Cameron, DVM – Request for Waiver of Preceptorship Requirement** – 2013 graduate of St. George’s University, licensed in Kentucky, New York and California. Following review of the documentation submitted by Dr. Cameron, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.
- E. Michelle M. Hodgson, DVM – Request for Waiver of Preceptorship Requirement** – 2013 graduate of LSU-School of Veterinary Medicine, licensed in Florida and Texas, and issued a Louisiana faculty license effective October 1, 2016. Following review of the documentation submitted by Dr. Hodgson, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, to approve waiver of preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.
- F. Rebekah M. Riedel, DVM – Request for Waiver of Preceptorship Requirement** – 2013 graduate of Oklahoma State University, licensed in California and Indiana. Following review of the documentation submitted by Dr. Riedel, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

VIII. PRECEPTORSHIP ISSUES

- A. Preceptorship Extension beyond Approved Contracted Weeks** – Following review of sample preceptorship agreement forms and attendance logs, the Board recommended that the Preceptorship site be advised to adhere to the approved dates without additional days beyond those approved by the Board on the agreement form. An additional statement will be added to the approval letter to the preceptee.

IX. CONTINUING EDUCATION ISSUES

- A. Fearful Dog Workshop (LA SPCA)** – The board reviewed the request and documentation for CAET CE credits for participation in the proposed workshop. Motion for approval by Dr. Lipscomb failed due to lack of second. No CE credits will be approved/awarded for this program.

X. POLICY, PROCEDURE, AND RULES

- A. General Rule Update** - None.
- B. Policy and Procedure** – None.
- C. Practice Act, Rules/Related Matters/Declaratory Statements** –

1. Mr. Tomino updated the Board on the status of Task Force/SCR 65 recommending to the Senate Committee on Health & Welfare proposed solutions and potential items to be considered by the Legislature in 2017 General Session regarding the effects of the N.C. Dental case. There is no anticipated recommendation by the Task Force to amend the definitions of any professional practice, nor change the composition of the state boards comprised of active market participants. LVMA representatives were present during the update.
2. Mr. Tomino updated the Board on its emergency-rule protocol, if necessary, and outcome of the recent Declaration of Emergency regarding the recent flooding in South Louisiana. Pursuant to Rule 309, Dr. Robbins was contacted with regards to any need for out-of-state veterinarians. The Board was informed there was no such need, and that the LDAF, LaSART, and volunteer Louisiana veterinarians' emergency response satisfactorily provided veterinary medical care for during the event/aftermath.
3. Mr. Tomino updated the Board on the status of the review of the requested revisions to Rule 712 (Alternative Therapy and Collaborative Practice) as it relates to chiropractors as presented by Jon E. Zeagler, DC, LA Board of Chiropractic Examiners; Bob Willard, DVM, American Veterinary Chiropractic Association; and Gene Gigglesman, DVM, Parker University, at the July 2016 Board meeting. Mr. Tomino contacted Dr. Zeagler regarding the current legal inability to even consider the restriction to educational certification only by the American Veterinary Chiropractic Association pending the 2017 Legislature addressing the N.C. Dental case. In addition, it is noted that the Board of Chiropractic Examiners is also represented on the Task Force/SCR 65 considering the effects of N.C. Dental.
4. Amanda Lluvera submitted a request for approval of the equine massage therapy program (certification/diploma or evidence of graduation) from Meredith Manor International Equestrian Centre per Rule 712 on Alternative Therapy/Collaborative Practice education. The Board approved the educational program, and instructed the Board office to place this program on its database for future reference.
5. The Board reviewed materials originally submitted to LDAF Commissioner Strain by Bob Kunst with Fischer Environmental regarding his organization's proposed Veterinary Entomology Certification. After consideration, while the Board reserves the right to further comment regarding this program in operation, it is of the initial opinion that such does not violate the LA Veterinary Practice Act, nor the Board's Rule, as long as there is no practice of veterinary medicine, i.e, diagnosis, surgery, prescribing of treatment or medications, or providing such advices, or representing oneself as providing such veterinary services. There is an exemption to licensure in the Practice Act for "any person selling or applying any pesticide, insecticide, or herbicide." In addition, the Board can only grant "certification" (right to practice) per stated authority in the Practice Act. There is no certification to practice, or recognition of a certification (diploma/evidence of graduation) from a private program, in the Practice Act regarding this subject matter. There is generally a concern regarding any potential misunderstandings by consumers and/or

program participants regarding a proposed program's status as qualifying as a Louisiana (Board or other state agency) approved "certification" when it is not. Commissioner Strain was directly informed of the Board's review and response.

6. Diane Stacy, DVM, with LDAF submitted a query regarding Dale Paccamonti, DVM/LSU-SVM's inquiry on the issuance of health certificates by staff veterinarians who hold newly issued Faculty Licenses. Drs. Stacy and Paccamonti were provided with a copy of the string of emails regarding USDA accreditation and the new Rule on Faculty Licensure. As shown, the Board previously communicated with the pertinent USDA and LDAF persons on the issue (prior to the effective date of Oct 1 of the new Rule). It is noted that a Faculty Licensed Veterinarian can only issue a certificate on an animal as defined within the scope of his license. They were also advised to have the Faculty Licensed Veterinarians use the number assigned to him on the respective license as issued by the Board for the USDA certificate.

7. Robert Guillory, DVM, submitted a request for approval to donate oxygen masks to the Alexandria Fire Department and to train EMTs to intubate dogs involved in fires. The Board carefully reviewed applicable legal authority as well as the practical aspects involving the totality of this matter. The main concern is the protection of the animals which necessarily encompasses the accountability of those providing veterinary services. The Board has held that general first aid can be administered to the animals by lay persons (EMTs in this matter) until appropriate veterinary care can be administered by a licensed veterinarian. Therefore, it is permissible to donate oxygen masks to the Alexandria Fire Department for use on animals involved in fires, as such is analogous to rendering first aid. However, for EMT's to intubate animals, even if trained by a veterinarian, such is not legally permissible in that it is the practice of veterinary medicine for which a license issued by the Board is required. The Board is concerned that a person not licensed as a veterinarian would be determining the animal's medical condition (diagnosis) and the appropriateness of treatment (intubation), as well as ancillary care issues. In short, intubation is beyond the lawful scope of providing emergency first aid by a lay person (non-licensed veterinarian).

8. Jennifer Irvin submitted a query regarding a question on the tasks which a Registered Veterinary Technician in Louisiana can lawfully perform. Rule 702.D addresses the tasks an RVT can legally perform and whether or not direct supervision is required. More particularly, with regards to administration of drugs, the RVT must be functioning under the supervision of a veterinarian (and whether directly or indirectly depends on the actual facts of the situation). However, the initial legal requirement which must be met is the prior establishment of a veterinary-client-patient relationship (VCPR) by the veterinarian. Rule 705A(1) and (2) provides that no legend drug or controlled substance, respectively, shall be administered, prescribed, dispensed, delivered to, or ordered for animals with which the veterinarian has not established a veterinarian-client-patient relationship as a primary care provider. The VCPR is defined and the criteria addressed in Rules 700 and 702.

In summary, a VCPR must be first established by the veterinarian with regards to the animal at issue, and other circumstances and factors must be considered if an RVT is allowed to even possess, and then, administer drugs to the patient. Under no circumstances may the RVT act in a sole capacity without the veterinarian who is ultimately responsible for the animal/patient.

At the present time, the Board has the issues of the lawful tasks/duties of a LA registered veterinary technician (RVT) and the lawfully delegated tasks/duties of a lay person under review and consideration. In the future, a rule-making effort will be conducted by the Board to implement its conclusions regarding this subject matter. However, the law does not allow an RVT or lay person to perform animal diagnosis, the prescribing of treatment or medications, or any surgical procedures. Furthermore, only a LA licensed veterinarian may administer a rabies vaccination. Such cannot be lawfully delegated to an RVT or lay person under any circumstances.

In concluding, the LA licensed, supervising veterinarian has the ultimate responsibility for the proper diagnosis and treatment of the animal, including the tasks/duties delegated to the RVT or lay person, and will be held accountable by the Board. The RVT is also personally responsible for her own acts/omissions in the practice pursuant to her RVT registration issued by the Board.

9. Tya Soileau submitted a query regarding the issue of suturing after surgery by an RVT, RVT student, and/or lay person. After careful consideration, pursuant to the LA Veterinary Practice Act and the Board's authority, it concludes that a registered veterinary technician (RVT) and/or a lay person/veterinary tech/assistant/student cannot legally close a surgical incision as this constitutes an integral part of surgery which only a LA licensed veterinarian may perform.

XI. MISCELLANEOUS MATTERS

A. New Licenses and Certificates Issued:

Wall certificates were presented for signature for the following licenses/certificates issued since the previous Board meeting:

DVM

3415	Olson	Erin Elizabeth
3416	Lewis	Renee Danielle
3417	McMahan	Adam Scott
3418	Nelson	Andrew Michael
3419	Carr	Lindsey Rhiannon
3420	Adams	Christopher Allen
3421	Evans	Kelly Michelle
3422	Hill	Myles Kendall
3423	Kessler	Kevin L.
3424	Taboada	Sandra Merchant
3425	Wood	Christine Suzanne
3426	Waddle	Marylynn Louise
3427	Richard	Hannah Blair
3428	Castro	Ryneil Zita

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3429	Perry	Sean Michael
3430	Norwood	Anna Britton
3431	Ford	Tiffany Lynn
3432	Chapman	Dana Nicole
3433	Burchfiel	Penelope Gard
3434	Welch	Walter Ralph

Faculty DVM

10	Paccamonti	Dale Lee
11	Ahuja	Ruchita Priyanka
12	Aulakh	Harmeet Kaur
13	Aulakh	Karanvir Singh
14	Barnes	Katherine Hirose
15	Baumruck	Rebecca Ann
16	Beale	Victoria M.
17	Beavers	Kelli Nicole
18	Boykin	Kimberly Lynne
19	Camacho Luna	Maria Pilar
20	Coulter	Cassandra Erin
21	Cremer	Jeannette
22	da Cunha	Anderson Favaro
23	Davolli	Gabriel Monteiro
24	De Caro Carella	Chiara
25	Duvall	Abigail Diane
26	Eades	Emma Susan
27	Faludi	Alexander Denison
28	Fernandez	Monica Juanita
29	Gallaher	Rebekah Aubrey
30	Gaschen	Frederic Philippe
31	Gaschen	Lorrie Elaine
32	Granger	L. Abbigail
33	Grooters	Amy Michelle
34	Hale Mitchell	Lorrie K.
35	Hegler	Ashley Kendall
36	Higbie	Christine Theresa
37	Hirsch	Aubrey L.
38	Kjaergaard	Astrid Birch
39	Koh	Ronald Boon Wu
40	Krueger	Clarisa Ruth
41	Lagos Carvajal	Angie Paola
42	Lane	Martha Jordan
43	Lara	Dorian Jacob
44	Lawson	Caitlin Marie
45	Leise	Britta Sigrid
46	Looper	Jayme Shay
47	MacArthur	Sandra Lynn
48	Magee	Aliya Niambi
49	Martinez	Paoul Sean

50	McCauley	Charles Thomas
51	Medina	Victor F.
52	Mitchell	Colin Farquhar
53	Mitchell	Mark A.
54	Pinto	Carlos Roberto
55	Pucheu-Haston	Cherie Marie
56	Queiroz-Williams	Patricia de
57	Rademacher	Nathalie
58	Ramos	Sara Joyner
59	Scagnelli	Alyssa Marie
60	Sones	Jennifer Liford
61	Stewart	Mathew Alexander
62	Sullivan	Jessica Lynn
63	Taboada	Joseph
64	Toone	Erin Elizabeth
65	Wurlod	Virginia Anne-Sophie
66	Hodgson	Michelle Marie

RVT

8358	Bordelon	Kasey Lynn
8359	Catalano	Kimberly Anne
8360	Rollo	Kelly Goodwin
8361	Morris	Meagan Elizabeth
8362	Estes	Melissa Anne Maries
8363	Thompson	Jessica Lynn
8364	Alves	Stephanie Ann
8365	Filion	Kimberly Anne
8366	Guidry	Shawna Lynn
8367	Saravia	Elia Louise
8368	Duckert	Julie Welcker
8369	Guilfou	Jessica Renee
8370	Knutson	Tyann Elizabeth
8371	Square	Latoya Olyn
8372	Luther	Marshall Brennan
8373	Rond	April Lynne

CAET

9787	Allen	Pamela Michelle Lassiter
9788	Boudreaux	Mark Anthony
9789	Catalano	Kimberly Anne
9790	Chambers	Jason M.
9791	Payton	Kurtis Dewan
9792	Darce	Rowenalynn King
9793	Jaufre	Jill Marie
9794	Tauzin	Sonia Sanchez
9795	Bode	Jessica Lynn
9796	Hebert	Anthony William
9797	Lirette	Sarina Shupe

9798	Smith	Sandi Maria
9799	Bridges	Christine Marie
9801	Trahan	Carolyn Sue
9904	Estain, III	Albert Joseph
9907	Marcantel	Kevin Michael
9909	Hadley	Patrick Dewayne
9915	Manasco	Rickey Lamar

B. Proposed 2017 Board Meeting Dates – Ms. Parrish presented proposed Board meeting dates for 2017. Motion was made by Dr. Bernard, seconded by Dr. Lipscomb to accept the proposed dates as presented to be printed in the Board’s 2016 newsletter and published in the *Louisiana Register*, which dates are February 2, April 6, June 1, August 3, October 5, December 7, 2017. Motion passed unanimously by voice vote.

C. Update on Licensing Renewals and Faculty Licensure – Ms Parrish presented statistics on the renewal applications, as well as issuance of newly mandated faculty licenses for veterinarians at LSU School of Veterinary Medicine. No action was taken on this item.

XII. EXECUTIVE SESSION

Motion was made by Dr. Bernard to go into executive session to discuss issues and receive legal advice regarding potential contested matters and personnel matters, seconded by Dr. Lipscomb, and passed unanimously by voice vote. Upon conclusion of discussion of the issues, motion was made to return to regular session by Dr. Lipscomb, seconded by Dr. Bernard, and approved unanimously by voice vote.

A. None.

XIII. ADJOURN

There being no further business before the Board, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 1:20 p.m.

MINUTES REVIEWED AND APPROVED BY FULL BOARD on December 1, 2016.

William H. Green, DVM, Board Secretary-Treasurer